

D/F

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 29 2017 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
: TRUSTEES OF THE SHEET METAL WORKERS
: NATIONAL PENSION FUND; TRUSTEES OF THE
: SHEET METAL OCCUPATIONAL HEALTH
: INSTITUTE TRUST; TRUSTEES OF THE
: INTERNATIONAL TRAINING INSTITUTE FOR THE
: SHEET METAL AND AIR CONDITIONING INDUSTRY;;
: AND TRUSTEES OF THE SHEET METAL WORKERS'
: INTERNATIONAL ASSOCIATION SCHOLARSHIP
: FUND

Plaintiffs,

-against-

ACCURATE SIGNS & AWNINGS, INC.,

Defendant.
----- X

BROOKLYN OFFICE
13-CV-7081 (ARR)(VMS)

and

14-CV-5525 (ARR)(VMS)

NOT FOR ELECTRONIC
OR PRINT PUBLICATION

OPINION & ORDER

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated March 10, 2017 from the Honorable Vera M. Scanlon, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Brissett v. Manhattan & Bronx Surface Transit Operating Auth., No. 09-CV-1930682 (CBA) (LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1). Therefore, plaintiffs are awarded \$57,134.47 in damages, which includes a total of \$23,118.23 for unpaid benefit contributions; \$5,697.52 in interest; \$10,464.97 in liquidated damages; and \$17,853.75 in attorneys' fees. The Clerk of

Court is respectfully directed to enter judgment for the plaintiffs in the amount of \$57,134.47 and close the two cases captioned above.

SO ORDERED.



/s/(ARR)

Allyne R. Ross
United States District Judge

Dated: March 27, 2017
Brooklyn, New York